



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

October 11, 2016

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

29 October 11, 2016

LORI GLASGOW
EXECUTIVE OFFICER

**AUTHORIZATION TO ACCEPT A GRANT AWARD FROM THE
WINDWARD FUND'S CONSERVATION 2.0 PROGRAM IN SUPPORT OF THE
ANTELOPE VALLEY REGIONAL CONSERVATION FRAMEWORK
(FIFTH SUPERVISORIAL DISTRICT) (3-VOTES)**

SUBJECT

Recommendation to authorize the Director of the Los Angeles County Department of Regional Planning (Director of Planning) to accept and implement a grant award under the Windward Fund's Conservation 2.0 Program to support the development of the Antelope Valley Regional Conservation Framework (RCF).

IT IS RECOMMENDED THAT THE BOARD:

Authorize the Director of Planning, or his designee, to accept grant funding of \$18,500 from the Windward Fund for the purpose of supporting development of the Antelope Valley RCF, and to execute all necessary documents to administer the grant.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommendation will enable the Los Angeles County Department of Regional Planning (Department) to accept grant funding from the Windward Fund to support the development of the Antelope Valley RCF.

The Los Angeles County General Plan, adopted by the Board of Supervisors (Board) on October 6, 2015, emphasizes the concept of sustainability, and identifies "excellence in natural resource management" as one of five guiding principles. The Antelope Valley Area Plan, adopted by the Board on June 16, 2015, as the community-based plan for the Antelope Valley area, is a component

of the Los Angeles County General Plan and also places a strong emphasis on effective conservation and management of environmental resources.

These conservation goals and policies are implemented through a combination of programs identified in the plans. These include long-established programs such as Significant Ecological Areas (SEA) as well as future implementation programs such as Transfer of Development Rights, Mitigation Land Banking Program and Open Space Master Plan, Open Space Land Acquisition Strategy, and Habitat Conservation Plan.

An RCF is a non-regulatory tool intended to serve a number of beneficial purposes. Notably, an RCF could facilitate advance mitigation for large-scale public or private development projects, including solar energy facilities and transportation infrastructure. Under pending state legislation (Assembly Bill 2087), conservation actions implemented in accordance with an RCF could be used to obtain credits to fulfill a project's mitigation requirements, subject to approval by the California Department of Fish and Wildlife and the local permitting agency. Use of an RCF for such purposes would be strictly voluntary and at the discretion of individual project proponents. However, by providing a basis of scientific data and analysis from which to draw, an RCF could streamline the process of locating areas suitable for mitigation, while also improving environmental outcomes through a more comprehensive, coordinated approach.

The Antelope Valley RCF would support the County's conservation and sustainability efforts by identifying wildlife and habitat conservation needs and priorities in north Los Angeles County through a science-based approach. The Antelope Valley RCF is one of three RCFs currently being developed as part of a state-wide effort to pilot a new, flexible tool for conservation planning. The Desert and Mountains Conservation Authority is the local sponsor for the Antelope Valley RCF, and the Department has been participating in the RCF's development in an advisory capacity. The Antelope Valley RCF builds on the work of the Desert Renewable Energy Conservation Plan, a project led by several state and federal agencies, as well as the County's SEA Program.

The funds provided through this grant would ensure that Department staff could participate in the development of the Antelope Valley RCF and receive the benefits of the collaboration with other state and local agencies without incurring costs to the County nor diminishing the County's ability to adapt this information through its own future habitat management planning as set forth in the County General Plan.

The acceptance of the grant will not commit the County to the adoption of any plan, policy, or project.

Implementation of Strategic Plan Goals

Participation in the development of the Antelope Valley RCF promotes the County's Strategic Plan goals of Operational Effectiveness/Fiscal Sustainability (Goal 1), Community Support and Responsiveness (Goal 2), and Integrated Service Delivery (Goal 3) by developing a framework that will effectively respond to economic, social, and environmental challenges; will be well aligned with the County's ongoing sustainability initiatives as set forth by the Board and as adopted in the County General Plan; and will support existing efforts and create new opportunities to enhance the health of the environment and the County's unincorporated communities.

FISCAL IMPACT/FINANCING

Participation in the development of the Antelope Valley RCF will not result in any new significant costs to the County. The funds will be used to support personnel costs and operating expenses.

Funding is not currently included in the Department's FY 2016-17 budget; therefore, a mid-year budget adjustment will be submitted to the Chief Executive Office during FY 2016-17.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

All documents required for the acceptance of the awarded grant will be subject to approval by County Counsel prior to execution by the Director Planning.

ENVIRONMENTAL DOCUMENTATION

The acceptance of the grant is not a "project" for which review is required under the California Environmental Quality Act (CEQA). Section 15384(b)(4) of the CEQA Guidelines excludes from the definition of a "project" the "creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment." The acceptance of the grant will allow the County to participate in the development of the RCF, including any necessary environmental review pursuant to CEQA. The acceptance of the grant will not commit the County to the adoption of any plan, policy, or project, and will not result in any physical impact on the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Participation in the development of the Antelope Valley RCF will improve planning and services to the public by supporting implementation of goals and policies in the Los Angeles County General Plan and Antelope Valley Area Plan, as well as the County's sustainability initiatives.

Should you have any questions, please contact Susan Tae, Section Head, Community Studies North Section, at (213) 974-6476 or stae@planning.lacounty.gov.

The Honorable Board of Supervisors

10/11/2016

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Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Richard J. Bruckner". The signature is fluid and cursive, with a large loop at the end.

RICHARD J. BRUCKNER

Director

RJB:MC:SMT:MT:e
ms

Enclosures

c: Executive Office, Board of Supervisors
County Counsel
Chief Executive Officer
Health Services
Parks and Recreation
Public Health
Public Works

June 28, 2016

Richard J. Bruckner
Los Angeles County Department of Regional Planning
320 W Temple St
Los Angeles, CA, 90012

RE: Grant No: NVF-CONS—Los Angeles County Depart-GA004420

Dear Mr. Bruckner:

Windward Fund is pleased to inform you that it has approved a grant to your organization in the amount of \$18,500.00 through our Conservation 2.0 project. This grant is for the grant period starting June 13, 2016 and ending February 01, 2017 and is subject to the terms and conditions contained in the enclosed Grant Agreement.

On behalf of the Windward Fund, I would like to congratulate your organization on its valuable work and wish you great success in this endeavor.

Sincerely,



Lee Bodner
Chair, Board of Directors

Enclosure

INSTRUCTIONS:

1. Please sign this form.
2. Return electronically to JM Johnson (jm.johnson@windwardfund.org) and Emma MacFarlane (emma@windwardfund.org). If unable to return electronically, please send to:

Windward Fund
Attn: JM Johnson
Associate Director, Conservation
1201 Connecticut Ave NW, Suite 300
Washington, DC 20036

WINDWARD FUND GRANT AGREEMENT

GRANT NUMBER: *NVF-CONS—Los Angeles County Depart-GA004420*

DATED: June 13, 2016

Windward Fund (the “Foundation”) and Los Angeles County Department of Regional Planning (the “Organization”) hereby agree as follows:

- I. The Foundation grants the Organization \$18,500.00 (the “Grant”) for the period June 13, 2016 to February 01, 2017 to be paid in one lump sum within 30 days of the executed agreement.
- II. The Grant may be used only for the following charitable, scientific, literary, religious or educational purposes: to fund the Organization’s participation in the development of the Antelope Valley Regional Conservation Framework project, as described in the attached document (“Exhibit A”) that was provided to the Foundation by the Organization and dated June 13, 2016 (the “Project”).
- III. So that the Foundation may comply with tax laws of the United States, it is understood that the Organization agrees to the following:



NVF-CONS—Los Angeles County Depart-GA004420

- A. To use the Grant funds exclusively for charitable, scientific, literary, religious or educational activities consistent with the tax-exempt status described above;
 - B. Not to use any funds from this Grant for lobbying activities, as described in sections 501(c)(3) of the Internal Revenue Code of 1986; and
 - C. Not to use any funds from this Grant to intervene in any election or support or oppose any political party or candidate for public office, or engage in any lobbying not permitted by section 501(c)(3) of the Code.
- IV. The Organization will return to the Foundation any portion of the Grant, and interest earned on the Grant, not expended or committed for the Project by February 01, 2017.
- V. The Organization shall provide the Foundation with an annual report that is due to the Foundation on or before March 01, 2017.

The full report must include the following certification:

All activities by Los Angeles County Department of Regional Planning were and are consistent under the Internal Revenue Code Sections 501(c)(3) and 509(a)(1), (2) or (3). If any lobbying was conducted by Los Angeles County Department of Regional Planning (whether or not discussed in this report), Los Angeles County Department of Regional Planning complied with the applicable limits of Internal Revenue Code Sections 501(c)(3) and/or 501(h) and 4911. Los Angeles County Department of Regional Planning warrants that it is in full compliance with its Grant Agreement with the Windward Fund, dated June 13, 2016, and that, if the grant was subject to any restrictions, all such restrictions were observed.

- VI. The Organization shall prepare the reports according to the attached reporting guidelines (“Exhibit B”). All report components should be dated and signed by an officer of the Organization.
- VII. The Organization is required to segregate the Grant in an account that is used only for charitable, scientific, literary, religious or educational purposes.



- VIII. The Organization agrees to maintain adequate financial and programmatic records. Records of receipts and expenditures under the Grant, as well as copies of reports submitted to the Foundation, should be kept for at least four years following completion of the Grant period. The Organization's books and records are to be made available for inspection by the Foundation or its designated representatives at reasonable times.
- IX. The Foundation shall include information regarding the Grant in its periodic public reports and may include such information in press releases or other publicly available materials.
- X. Additionally, the Organization agrees:
- A. To comply with all applicable laws or regulations in any jurisdiction in which it conducts activities.
 - B. To allow the Foundation to conduct an evaluation of the Organization and its programs related to the Grant. The evaluation may involve visits from the Foundation staff or representatives and discussions with employees or consultants of the Organization.
 - C. To cooperate with the Foundation in supplying any additional information or in complying with any procedures which might be required by any governmental agency in order for the Foundation to establish that it has observed all requirements of the law with respect to this Grant.
 - D. To notify the Foundation immediately of any anticipated or actual changes in the president, executive director or key personnel identified in the Grant proposal, award letter or this Grant Agreement. The Organization acknowledges that changes in the president, executive director or key personnel may trigger the Foundation's review and reassessment of the Organization's ability to meet the purposes of the Grant. Such



review may lead to additional grant provisions or other limitations for unexpended funds.

- E. To not use the Foundation name in any report or other document prepared for distribution outside the Organization, in either printed or electronic form, with the exception of listing the Foundation along with other donors in an annual report or Grant application.
 - F. To make any data, research, knowledge and other information developed with these Grant funds freely available to the Foundation, and hereby grants to the Foundation a perpetual license to all right, title and interest in any copyright and all other tangible and intangible property or ownership rights (including all renewals and extensions) relating to all materials created by or for the Organization in the performance of the specific deliverables described in Exhibit A. At the request of the Foundation, the Organization agrees to execute all necessary or appropriate documents and take all other reasonable steps to document or formalize such rights in these materials.
 - G. To not regrant any of the Grant Funds without specific approval of the Foundation.
- XI. The Foundation reserves the right, in its sole discretion, to discontinue funding of this Grant, if it is not satisfied with the expenditure of Grant funds by the Organization or the content of any written report required herein. The Foundation reserves the right to discontinue, modify, or withhold any payments due under this Grant, or to modify the terms of this Agreement, to comply with any law or regulation applicable to this Grant or to protect and maintain the Foundation's tax-exempt status under Section 501(c)(3) of the Code.



- XII. Failure by any party at any time to require performance by any other party of any provision of this Agreement shall in no way affect the right to require full performance any time thereafter, nor shall the waiver by any party of a breach of any provision of this Agreement constitute a waiver of any succeeding breach of same or any other provision, nor constitute a waiver of the provision itself.
- XIII. This Agreement (a) constitutes the entire understanding of the Foundation and the Organization with respect to the subject matter, and supersedes all prior agreements and understandings, whether oral or written; (b) is made exclusively with the Organization and may not be transferred or assigned to another organization or person without prior written approval of the Foundation; and (c) may be amended or modified only by a mutual written agreement of the parties.
- XIV. This Agreement shall be deemed to be made under, and in all respects shall be interpreted under and governed by the laws of the District of Columbia.

Agreed to and accepted on behalf of Los Angeles County Department of Regional Planning dated:

_____.

Richard J. Bruckner
Director

Agreed to and accepted on behalf of the Windward Fund dated: _____.



Los Angeles County Department of Regional Planning

Organization's Mission

The Department of Regional Planning plans and helps shape the development of safe, healthy, equitable and sustainable communities while respecting individual rights and protecting the natural environment through excellent public service provided in the unincorporated areas of Los Angeles County.

Explanation of Oversight

Regional Planning started in Los Angeles County in 1922 with the establishment of the Regional Planning Commission (RPC), a body that still exists and is responsible for advising the Board of Supervisors on all planning matters. It is the oldest planning body in the United States. The roots of the Department of Regional Planning (DRP) lay in providing staff advice and assistance to the Regional Planning Commission. It became an independent Department in 1974 and continues to support the Commission and Board of Supervisors.

The Los Angeles County Board of Supervisors, created by the state Legislature in 1852, is the governing body for the County. Five supervisors are elected to four-year terms by voters within their respective districts. The Board has executive, legislative, and quasi-judicial roles.

Project Description

The Antelope Valley Regional Conservation Framework (RCF) is part of a state-wide effort to pilot a new flexible conservation planning tool, to identify high priority conservation areas within a region that can be proactively protected, restored, and managed. These RCFs will identify wildlife, fisheries, and habitat conservation needs including conservation actions needed to address climate change and protect wildlife corridors on a regional scale. The RCFs will be an important tool to guide and coordinate public and private investments in habitat conservation, wildlife and fisheries recovery strategies, infrastructure planning and development, and compensatory mitigation for impacts to threatened and endangered species and other natural resources.

The RCFs are voluntary, non-regulatory tools that will serve a number of beneficial purposes, including support proactive conservation planning in advance of development pressures, which will help reduce potential conflicts that may arise at the individual project stage. In addition, RCFs may guide conservation investments by state, federal, local and private entities and provide a basis for the development of advance mitigation agreements.

Regional Conservation Frameworks can also be used as a foundation for future action for communities that want to develop more comprehensive plans such as Natural Community Conservation Plans (NCCPs) or regional Habitat Conservation Plans (HCPs).

With private foundation support and coordination by the Conservation Strategy Group, ICF has teamed with the Conservation Biology Institute (CBI) and Terry Watt Consulting to develop the draft Antelope Valley Regional Conservation Framework. CBI will provide support on key technical tasks including management of GIS data; providing consultant team, client, and stakeholder access to GIS information; an assessment of climate change vulnerability; and general advisory support on conservation issues in the Antelope Valley and greater West Mojave Desert. CBI will manage all relevant existing data and any new data in Data Basin, an online mapping interface that provides visual tools so that stakeholders and technical participants are able to easily interpret the data being used in the planning process. Terry Watt Consulting will lead stakeholder facilitation for the Antelope Valley RCF, with logistical support from ICF public outreach staff.

The Antelope Valley RCF will build on the data, analyses, and conservation strategies that were developed as part of the Desert Renewable Energy Conservation Plan (DRECP). This RCF will also dovetail with the stakeholder engagement that has been so important to the DRECP process. This RCF will distill the information in the DRECP for the RCF study area and create a framework that will expand the utility of that information beyond its current application for renewable energy planning. An important driver in the development of an RCF is the information contained in a Regional Conservation Assessment (RCA). The DRECP along with other regional assessments such as the Mojave Desert Ecoregional Assessment (TNC 2010) will provide the key information for the RCA, and will be integrated into the Antelope Valley RCF. ICF assumes that very little new data will need to be collected or generated, with perhaps the exception of a limited number of additional species models. Where possible we attempt to identify presumed gaps in data that will need to be filled. In some cases, those gaps may not be apparent until the RCF is under development.

Windward Fund Budget Template

Grantee Name: Los Angeles County Department of Regional Planning
Project Name: Antelope Valley Regional Conservation Framework
Project Dates: 6/13/16 to 2/1/17

Amount requested from Windward Fund: \$18,500
Project/Program funding expected from other sources: n/a
Total project budget: \$18,500

* NOTE: Amounts budgeted under "Salaries" are based on Department of Regional Planning's FY 2015-16 hourly billing rates, and are inclusive of salaries, payroll taxes and employee benefits, rent, and overhead.



Proposed Project Budget	Windward Budget <Grant Period>	Total Project Budget <Grant Period>
Salaries		
Senior Regional Planning Assistant	\$ 8,350	
Senior Biologist	\$ 4,290	
Supervising Regional Planner	\$ 3,286	
Supervising Regional Planner	\$ 2,190	
Subtotal Salaries	\$ 18,116	\$ -
Payroll Taxes & Employee Benefits		\$ -
Subgrants to other organizations		
Subtotal subgrants	\$ -	\$ -
Travel, Conferences & Meetings		
Mileage (travel to and from meetings)	\$ 384	
Subtotal travel conferences and meetings	\$ 384	\$ -
Rent, utilities and communication costs		
Subtotal rent, utilities and communication costs	\$ -	\$ -
Other Professional Services		
Subtotal other professional services	\$ -	\$ -
Overhead (1)	\$ -	\$ -
Total Project/Program Budget (total should tie to total funding above)	\$ 18,500	\$ -

IRS Defined Lobbying Expenses (2)	\$ -	
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Additional Instructions:
(1) Please explain overhead calculation in the proposal narrative.
(2) Lobbying Costs are defined in (a) below. If the Lobbying row of the financial report contains any amount other than 0, please provide details in the narrative.
(a) for federal purposes, lobbying means carrying on propaganda, or otherwise attempting to influence legislation as defined by Internal Revenue Code Sections 501(h), 4945(d)(1) and 4945(e) and related regulations. Please note that federally-defined lobbying is permitted to public charities to a limited extent.

EXHIBIT B- REPORTING GUIDELINES

Windward Fund Grantees are required to provide the following reports that document the progress of their projects:

Interim reports: due dates are indicated in agreement

1. Executive Summary (2 pages maximum), including the following information:
 - a. Goals and objectives
 - b. Results to date (progress of activities against project objectives)
 - c. Challenges encountered
 - d. Lessons learned
 - e. Project workplan with recommended adjustments
2. Budget summary that provides budgeted vs. actual expenditures to date.
3. Other relevant project information.

Final reports: due dates indicated in agreement

1. Executive summary (2 pages maximum), including the following information:
 - a. Review of goals and objectives
 - b. Achieved outcomes
 - c. Lessons learned
 - d. Completed project workplan
 - e. Next steps to further advance these objectives
 - f. Copies of any publications or media generated as a result of the project
 - g. The full report must include the following certification:

All activities by Los Angeles County Department of Regional Planning were and are consistent under the Internal Revenue Code Sections 501(c)(3) and 509(a)(1), (2) or (3). If any lobbying was conducted by Los Angeles County Department of Regional Planning (whether or not discussed in this report), Los Angeles County Department of Regional Planning complied with the applicable limits of Internal Revenue Code Sections 501(c)(3) and/or 501(h) and 4911. Los Angeles County Department of Regional Planning warrants that it is in full compliance with its Grant Agreement with the Windward Fund, dated June 13, 2016, and that, if the grant was subject to any restrictions, all such restrictions were observed.
2. Final financial accounting of budgeted vs. actual expenditures of all grant funding including the entire project budget and all sources of revenue and expenditures (including grassroots and direct lobbying expenditures, if applicable), in addition to Windward Funding.

All reports must be submitted electronically via our online grants management system. Please be sure to indicate the grant number in your reports. For questions regarding reporting requirements, please contact your project manager.

